



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

January 12, 2017

**\*\*sent via email\*\***

Mr. Tony Warfield  
Sr. Environmental Project Manager  
Port of Tacoma  
P.O. Box 1837  
Tacoma, Washington 98401-1837

Re: As-Built Report for the Upper Clear Creek Mitigation Site  
Consent Decree No. 11-cv-05253-RJB

Dear Mr. Warfield,

The United States Environmental Protection Agency received your "As-Built Report – Upper Clear Creek Mitigation Site: EPA Mitigation Site" dated October 28, 2016, prepared by Herrera Environmental Consultants, Inc. per the requirements of our Consent Decree (No. 11-cv-05253-RJB). I have reviewed the as-built report, conducted the follow-up site visit on December 7, 2017, and find that Port of Tacoma is currently in compliance with the requirements of our Consent Decree.

I appreciate the thoroughness of the report and tour provided by your staff and consultants. If you have any questions about this matter, please contact me at (206) 553-1806, or via electronic mail at [pongkhamsing.chan@epa.gov](mailto:pongkhamsing.chan@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Chan Pongkhamsing", is positioned below the "Sincerely," text.

Chan Pongkhamsing  
CWA 404 Enforcement Coordinator  
Water and Wetlands Enforcement Unit